

REMARKS

In the Office Action, claims 1-4 were rejected under 35 USC §102(b) as being anticipated by Robertson. Claims 1-4 were rejected under 35 USC §102(b) as being anticipated by Pusterla. Claims 1-13 were rejected under 35 USC §103(a) as being unpatentable over Williams in view of Robertson. Claims 1-11 were rejected under 35 USC §103(a) as being unpatentable over Whitcomb in view of Robertson.

The Robertson patent shows a container for gum, but the gum fills the cavity and a glazed or smooth surface is used to allow for removal of the gum wafer. Clearly there is (1) no spacing between inner walls and a tablet to allow for insertion and removal of the tablet, (2) no dual compartments, (3) no cylindrical shape needed to accommodate a glucose tablet, (4) no integral hinge concept, and (5) no peripheral cover engagement with cylindrical outer walls.

The Pusterla patent is not as pertinent as the Robertson patent and is distinct from the combination, including the interlocking retaining means, of the present invention.

The Williams patent is even further removed from the present combination. The shape, structure and function of the present invention are not disclosed by this reference.

The Goertz and Whitcomb patent appears to be the most pertinent, but there are significant differences: powder contents

fill cavities-no spacing as specified, bridge section is not integral-see Fig. 6, hinge is at side-open both compartments at once-not separately, and sides are not waved shaped. Therefore, this reference, even when combined with Robertson does make obvious the present invention.

Applicant's invention has now been defined so that it is clearly differentiated from the references. The combination of features now defined are what makes the invention a "step forward" in the art, and it is this combination that is not anticipated or made obvious by prior ideas.

Those prior ideas are directed to providing structures for different purposes than contemplated by applicant with his glucose tablet container, and to combine the prior art features as "obvious" seems unreasonable since one first has to have the applicant's concepts, and then only when these novel concepts are shown to work, can the separate features be selectively picked from prior art patents.

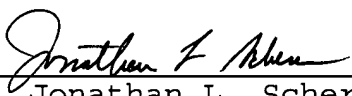
Admittedly the invention is simple. But the integral formed relationships, the peripheral fits, the cylindrical shapes, the interior cavity dimensions in relation to the tablets, the separately openable covers, and other such features of the applicant's novel combination, as now recited in claim 14, clearly make the present invention the proper subject for patent protection.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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